

# UNITED STATES DISTRICT COURT

for the

District of South Carolina

Thomas Pelzer

*Plaintiff*

v.

Penny Morton

*Defendant*

Civil Action No. 2:09-cv-3211-MBS-RSC

## SUMMARY JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.

☒ other: The Report and Recommendation of Magistrate Judge Robert S. Carr is adopted and incorporated. Summary Judgment is entered on behalf of the defendant. The plaintiff shall take nothing on his Complaint filed pursuant to Title 42 U.S.C. § 1983.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Margaret B. Seymour, United States District Judge.

Date: October 29, 2010

CLERK OF COURT Larry W. Propes



Signature of Clerk or Deputy Clerk